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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,415	09/03/2003	Robert D. Christiansen	200207578-1	5465
22879	7590	12/29/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			CHAU, MINH H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/654,415	CHRISTIANSEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Minh H Chau	2854	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5,8,10,13,16-18,20,21,23-25,27 and 28 is/are rejected.
- 7) ☒ Claim(s) 2-4,6,7,9,11,12,14,15,19,22,26 and 29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03 September 2003</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Double Patenting*

1. **Claim 22** is objected to under 37 CFR 1.75 as being a substantial duplicate of **claim 19**. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

The language “**second means for controlling the RIP engine**” as recited in **claim 28** is a duplicate of the same language as recited in lines 4-5 of **claim 27**.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 21, 23 and 24** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following language is inferentially recited: “the messages exclude vector image data and bit-map data” (**claim 21**), “further comprises another socket port of receiving vector image data” (**claim 23**) and “wherein each socket port includes a Transmission Control Protocol port” (**claim 24**), since the parent claim 18 does not recites any features related to “the message” or the “socket port”.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1, 5, 8, 10, 13, 16-18, 20, 24-25 and 27-28** are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (US # 6,441,920).

With respect to **claims 1 and 8**, Smith teaches a system and method for output management comprising controlling a RIP engine (34) using a first front end or a first RIP control entity (40) and controlling a RIP engine (34) using a second front end or a server or a second RIP control entity (40, 42) (see Figs. 1-2 and cols. 5-7 of Smith).

With respect to **claims 5 and 10**, see Fig. 2 and col. 5 of Smith that teach the front end (40) can provide or transferring images to a server (42) so that the server (42) can directly control the RIP engine (34). It is clear to one of skill in the art that the above teaching by Smith meets the limitation of “transferring control of the RIP engine from the first RIP control entity to the second RIP control entity” as recited in claims 5 and 10.

With respect to **claims 13, 17, 18 and 25**, Smith teaches a system for output management comprising a first front end or a first RIP control entity (40) for controlling at least one RIP engine (34), a second front end or a server or a second RIP control entity (40, 42) for controlling at least one RIP engine (34), a network interface or a

controller interface (135) that include socket port (inherent) for allowing the connection and communication of the first RIP entity (40), the second RIP entity (40, 42) and the RIP engine (34) on the network (35), a RIP engine (34) operatively coupled to the controller interface (135) (see Fig. 1 and col. 5-6 of Smith). With respect to the recitation “a controller interface for communicating ... controller interface” (lines 3-5 of claim 13), Smith teach the use of the network interface module (135) to allowing the communication of the front ends or RIP entity (40) that include a RIP manager (inherent), the server (42) and the RIP engine (34) over the network (35). It is clear to one of skill in the art that a network interface or a controller interface must include in the above-mentioned components in order for those components to communicate with each other in the network (35).

With respect to **claim 16**, see Fig. 1 and col. 6, lines 37-39 that teach an output device or a printer (46) coupled to at least one of the first and second control entities.

With respect to **claim 20**, Smith teach the use of the network interface or a controller interface (135) that include the socket port (inherent) to allowing the communication that includes sending and receiving messages between the RIP control entities (40) and the RIP engine (34) over the network (35).

With respect to **claim 24**, Smith teaches a network interface (135) that includes a socket port (inherent) to allowing the communication of the components over network (35). It is clear to one of skill in the art that the socket port must includes a Transmission Control Protocol port in order to control the communication and transmission between the components.

With respect to **claims 27 and 28**, Smith teaches a system for output management comprising a first means (40) for controlling a RIP engine (34), and means for enabling control of a RIP engine (34) by one of at least the first means for controlling the RIP engine (34) and a second means (40, 42) for controlling the RIP engine (34) (see Fig. 1 and col. 5-6 of Smith).

***Allowable Subject Matter***

6. **Claims 2-4, 6-7, 9, 11-12, 14-15, 19, 22, 26 and 29** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the objection and in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

**Claim 2** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of a method including the first RIP control entity sending first vector image data to the RIP engine and receiving corresponding first bit-map data from the RIP engine.

**Claim 3** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of a method including the second RIP control entity sending second vector image data to the RIP engine and receiving corresponding second bit-map data from the RP engine.

**Claim 4** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of a method including the first RIP control entity includes a RIP manager and the second RIP control entity includes a variable-data-printing manager.

**Claims 6 and 7** have been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of a method including the second RIP control entity sending a request to the first RIP control entity and the first RIP control entity enabling the RIP engine to communicate with the second RIP control entity in response to the request.

**Claim 9** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of a machine-readable medium including instructions for the first RIP control entity sending first vector image data to the RIP engine and facilitating receipt of corresponding first bit-map data from the RIP engine; and instructions for the second RIP control entity sending second vector image data to the RIP engine and facilitating receipt of corresponding second bit-map data from the RIP engine.

**Claims 11 and 12** have been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of a machine-readable medium including instructions for facilitating receipt of a request from the second RIP control entity; and commanding or enabling the RIP engine to communicate with the second RIP control entity in response to the request.



**Claim 14** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of system including the first RIP control entity includes a RIP manager and the second RIP control entity includes a variable-data-printing manager.

**Claim 15** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of system including means for sending first vector image data to the RIP engine and means for receiving corresponding first bit-map data from the RIP engine.

**Claims 19 and 22** have been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of an apparatus including a RIP controller interface comprises at least one socket port for receiving vector image data and at least one socket port for outputting bit-map data.

**Claim 26** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of an apparatus including a variable-data-printing manager for communicating with the RIP controller interface and a RIP engine for communicating with the variable-data-printing manager via the RIP controller interface.

**Claim 29** has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of an apparatus including the first means for controlling the RIP engine comprises a variable-data-printing manager.



8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicant's attention is invited to the patents to Smith et al. (US # 5,946,156) and Bando (US # 6,449,053).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh H Chau whose telephone number is (571) 272-2156. The examiner can normally be reached on M - TH 9:30AM - 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHC  
December 23, 2004



Minh H Chau  
Primary Examiner  
Art Unit 2854